

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ALTANA PHARMA AG and WYETH, Plaintiffs, v. TEVA PHARMACEUTICALS USA, INC., et al., Defendants.	Civil Action No. 04-2355 (JLL) ORDER
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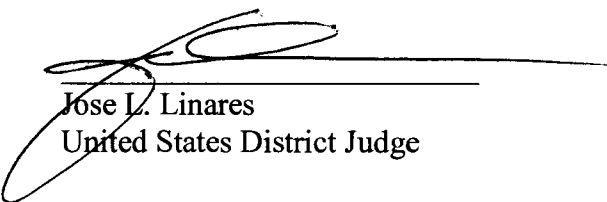
LINARES, District Judge.

This matter comes before the Court by way of Defendant Sun's motion for partial summary judgment seeking a ruling that Plaintiffs are not entitled to lost profits against Sun for lost Protonix sales [Docket Entry No. 1142]. Based on the reasons set forth in the Court's corresponding Opinion dated January 11, 2013, which has been filed under seal,

IT IS on this 11th day of January, 2013,

ORDERED that Defendant Sun's motion for partial summary judgment [Docket Entry No. 1142] is **DENIED**.

IT IS SO ORDERED.



Jose L. Linares
United States District Judge